

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

FILED
U.S. DIST. COURT
BRUNSWICK DIV.

2006 JAN -6 A 11:30

REY DAVID VARGAS,

Petitioner,

vs.

CIVIL ACTION NO.: CV205-131

JAMES LANIER, Warden, Wayne
State Prison; MILTON E. NIX, JR.,
Chairman, State Board of Pardons and
Paroles, and JAMES E. DONALD,
Commissioner, Georgia Department
of Corrections,

Respondents.

ORDER

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

Respondents' Motion to Dismiss is **GRANTED**. The petition for writ of *habeas corpus*, filed pursuant to 28 U.S.C. § 2241, is **DISMISSED**. The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment of Dismissal.

SO ORDERED, this 6th day of January, 2006.


JUDGE, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA